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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Jacqueline Ruller	Paul M. Rivard
COMPANY:	DATE:
US Patent and Trademark Office	April 17, 2000
FAX NUMBER:	TOTAL NO. OF PAGES (INCLUDING COVER SHEET):
(703) 305-7115	10
YOUR REFERENCE No.:	OUR REFERENCE (C/M) No.:
09/397,018	04859.84703

RE:

Copies of Declaration, Small Entity Statements.

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME:	Beverly Orlebar	PHONE:	(202) 508-9125
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COMMENTS:

Per your request, attached are copies of the Declaration and Small Entity statements which were filed January 5, 2000 in a Response to the Notice to File Missing Parts, and post card receipt showing receipt of the same by OIPE. If you need anything else, please let me know.

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

Patent/Design

☒ HAND CARRY Group/Section☐ PATENT☐ DESIGN

Bldg

Rm

Serial No. 011947018 B&W# 485984703App/Sec 141/141/141Date 1-5-2000Inventor James R. WilliamsClient Star Tobacco CorpTitle Method of Treating Tobacco to Reduce Nitrosamine Content and Products Produced Thereby

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☐ Total pp Spec., including: # of Claims
☐ # of independent claims ☐ Abstract
☐ Foreign Priority on

☐ Claim for Priority w/Priority Doc

Country, Appl. # and Date

☒ Petition for Extension to 1-6-2000

☐ Priority in U.S. Prov. Country, Appl. # and Date
B&W#

☐ Amendment ☐ Response: OA dtd

☐ Application: ☐ CIP ☐ Continuation ☐ Divisional
 Parent Ser. No. B&W#

☐ Request for Approval of Drawing Change☐ Provisional App. pp Spec/Clms, Cover Sheet☐ CPA Request ☐ w/Ext of Time: OA dtd☒ Declaration/PoA: ☒ Executed ☐ Unexecuted☐ Notice of Appeal & Fee

☐ Drawings: ☐ Formal ☐ Informal
 # of distinct sheets: Fig

☐ Brief ☐ Appeal & Fee☐ Request for Oral Hearing☐ Assignment w/PTO Cover Sheet☐ Issue Fee: Allowance dtd☒ Small Entity Declaration☐ Advance Patent Copies: # ordered☐ IDS w/PTO 1449 ☐ Prior ArtCheck # 147155 for \$ 1,113.Check # for \$ ☐ Preliminary Amendment☒ Response: Missing Parts dtd 10-1-2000☐ Request for Expedited Foreign Filing License☐ Request for Corrected Filing Receipt

DOCKETED

JAN X 5 2000

B&W Rev. 4/98

14

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Jonnie R. Williams) **BOX: MISSING PARTS**
)
Serial No.: 09/397,018)
) **Atty Dkt No.: 4859.84703**
Filed: September 15, 1999)
)
For: METHOD OF TREATING TOBACCO)
TO REDUCE NITROSAMINE CONTENT)
AND PRODUCTS PRODUCED THEREBY)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(d), dated October 6, 1999, for which Applicant's petition for a one-month extension of time, i.e., up to January 6, 2000, enclosed is the executed Declaration of the referenced application, three (3) Small Entity Statements, and the fee, which is calculated as follows:

Basic Filing Fee	\$380.00
Total Claims = 52	
In Excess of 32 x 9.00	\$288.00
Independent Claims = 8	
In Excess of 5 x 39.00	\$195.00
Multiple Claim Fee	\$130.00
Surcharge for submitting the filing fee and Declaration subsequent to the filing date	\$65.00
One Month Extension Fee	\$55.00
Total Fees	\$1,113.00

Application Serial No. 09/397,018

A check in the amount of \$1,113.00 is enclosed to cover the above fees. If an additional fee is required or an overpayment of fees is made, the Commissioner is authorized to charge or credit Deposit Account No. 19-0733 as appropriate.

Respectfully submitted,

Date: January 5, 2000

By: _____



Paul M. Rivard
Registration No. 43,446

BANNER & WITCOFF, LTD.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100

JMP/PMR/bao

Applicant or Patentee: Jonnie R. WilliamsAttorney Docket #: 04859.84703Serial or Patent No.: 09/397,018Filed or Issued: September 15, 1999For: METHOD OF TREATING TOBACCO TO REDUCE NITROSAMINE CONTENT AND PRODUCTS PRODUCED THEREBY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) AND 1.27(c)) – SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☒ the owner of the small business concern identified below;
☐ an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF CONCERN: Regent Court TechnologiesADDRESS OF CONCERN: 709 The Hamptons LaneTown and Country, Missouri 63017

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §§121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under §§41(a) and (b) of Title 35, United States Code, in that the number of employees of the business concern (including those of its affiliates) does not exceed 500 persons. For purposes of this Statement: (1) the number of employees of the business concern is the average over the previous fiscal year of the business concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year; and (2) business concerns are affiliates of each other when either directly or indirectly one business concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with this small business concern identified above with regard to the invention entitled: METHOD OF TREATING TOBACCO TO REDUCE NITROSAMINE CONTENT AND PRODUCTS PRODUCED THEREBY
 by inventor(s) Jonnie R. Williams

described in ☐ the specification filed herewith.☒ application serial no. 09/397,018filed September 15, 1999☐ patent no. _____

filed _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below' and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e). NOTE: Separate verified statements are required from each named person, business concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

FULL NAME Star Scientific, Inc.ADDRESS 16 South Market Street - Petersburg, VA 23803☐ INDIVIDUAL☒ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these were made with the knowledge that false statements made willfully are punishable by fine, imprisonment, or both a fine and imprisonment under Section 1001 of Title 18 of the United States Code; and further that false statements made willfully may jeopardize the validity of the application, of any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Frank E. O'Donnell, Jr., M.D.

TITLE OF PERSON (other than owner) _____

ADDRESS OF PERSON SIGNING 709 The Hamptons Lane - Town and Country, Missouri 63017

SIGNATURE _____

DATE

12-14-99

Applicant or Patentee: Jonnie R. WilliamsAttorney Docket #: 04859 84703Serial or Patent No.: 09/397 018Filed or Issued: September 15, 1999For: METHOD OF TREATING TOBACCO TO REDUCE NITROSAMINE CONTENT AND PRODUCTS PRODUCED THEREBY

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS **(37 C.F.R. §§1.9(f) AND 1.27(c)) — SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☒ the owner of the small business concern identified below;
☐ an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF CONCERN: Regent Court Technologies
 ADDRESS OF CONCERN: 709 The Hamptons Lane
Town and Country, Missouri 63017

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I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: METHOD OF TREATING TOBACCO TO REDUCE NITROSAMINE CONTENT AND PRODUCTS PRODUCED THEREBY
 by inventor(s) Jonnie R. Williams

described in ☐ the specification filed herewith.☒ application serial no. 09/397 018filed September 15, 1999☐ patent no. _____

filed _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e). NOTE: Separate verified statements are required from each named person, business concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

FULL NAME Star Scientific, Inc.ADDRESS 16 South Market Street
Petersburg, VA 23803☐ INDIVIDUAL☒ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these were made with the knowledge that false statements made willfully are punishable by fine, imprisonment, or both a fine and imprisonment under Section 1001 of Title 18 of the United States Code; and further that false statements made willfully may jeopardize the validity of the application, of any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Jonnie R. Williams

TITLE OF PERSON (other than owner) _____

ADDRESS OF PERSON SIGNING 1 Starwood Lane Manakin-Sabot VA 23103

SIGNATURE _____

DATE 1-3-2000

Best Available Copy

Applicant or Patentee: Jonnie R. WilliamsAtt. Ref. Docket #: 04859 84703Serial or Patent No.: 09/397,018Filed or Issued: September 15, 1999For: METHOD OF TREATING TOBACCO TO REDUCE NITROSAMINE CONTENT AND PRODUCTS PRODUCED THEREBY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) AND 1.27(c)) — SMALL BUSINESS CONCERN**

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- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the concern identified below;

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Petersburg, VA 23803

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 by inventor(s) Jonnie R. Williams

described in ☐ the specification filed herewith.
☒ application serial no. 09/397,018 filed September 15, 1999
☐ patent no. _____ filed _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e). NOTE: Separate verified statements are required from each named person, business concern or organization having rights to the invention availing to their status as small entities. (37 CFR §1.27)

FULL NAME Regent Court TechnologiesADDRESS 709 The Hamptons Lane - Town and Country, Missouri 63017

- ☐ INDIVIDUAL
☒ SMALL BUSINESS CONCERN
☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

- ☐ INDIVIDUAL
☐ SMALL BUSINESS CONCERN
☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these were made with the knowledge that false statements made willfully are punishable by fine, imprisonment, or both a fine and imprisonment under Section 1001 of Title 18 of the United States Code; and further that false statements made willfully may jeopardize the validity of the application, of any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Paul L. PeritoTITLE OF PERSON (other than owner) President and Chief Operating OfficerADDRESS OF PERSON SIGNING 1299 Pennsylvania Ave. N.W. - Washington, D.C. 20004-2400SIGNATURE [Signature]DATE Dec 16, 1999

LAW OFFICES
 BANNER & WITCOFF, LTD.
 1001 G STREET, N.W.
 WASHINGTON, D.C. 20001-4597
 (202) 508-9100

SOLE DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD OF TREATING TOBACCO TO REDUCE NITROSAMINE CONTENT AND PRODUCTS PRODUCED THEREBY**, the specification of which

- ☐ is attached hereto.
- ☒ was filed on September 15, 1999 as Application Serial Number 09/397,018 and was amended on (if applicable).
- ☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 U.S.C. §119

Prior United States Provisional Application(s)

I hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day, month, year)	Priority Claimed Under 35 U.S.C. §119(e)(1)
60/100,372	15-9-1998	Yes

Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status — Patented, Pending, Abandoned

Power of Attorney

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

ALTHER, Robert F.	31,810	HONG, Patricia E.	34,373	PATEL, Binal J.	42,065
BANNER, Donald W.	17,037	HOSCHEIT, Dale H.	19,090	PATHAK, Ajay S.	38,266
BANNER, Mark T.	29,888	IWANICKI, John P.	34,628	PAYNE, Stephen S.	35,316
BANNER, Pamela I.	33,644	JACKSON, Thomas H.	29,808	PETERSON, Thomas L.	30,969
BECKETT, William W.	18,262	KAGAN, Sarah A.	32,141	POTENZA, Joseph M.	28,175
BODNER, Jordan	42,338	KATZ, Robert S.	36,402	PRATT, Thomas K.	37,210
BUROW, Scott A.	42,373	KLEIN, William J.	43,719	RENK, Christopher J.	33,761
CALLAHAN, James V.	20,095	KRAUSE, Joseph P.	32,578	REIS, Robert H.	32,168
CHANG, Steve S.	42,402	LINEK, Ernest V.	29,822	RIVARD, Paul M.	43,446
COHAN, Gregory J.	40,959	MAGOON, Summet	43,769	ROLLINS, John F.	38,013
COOPERMAN, Marc S.	34,143	MALONE, Dale A.	32,155	SCHAD, Steve P.	32,550
CURTIN, Joseph P.	34,571	MANNAVA, Ashok K.	P45,301	SHANAHAN, Michael H.	24,438
DAWSON, John R.	39,504	McDERMOTT, Peter D.	29,411	SHIPLEY, Charles W.	28,042
DEMOOR, Laura J.	39,654	McKEE, Christopher L.	32,384	SKERPON, Joseph M.	29,864
EVANS, Thomas L.	35,805	McKIE, Edward F.	17,335	SPAR, Elizabeth	45,123
FEDORCHKO, Gary D.	35,509	MEDLOCK, Nina L.	29,673	STOCKLEY, D. J.	34,257
FISHER, Daniel E.	34,162	MEECE, Timothy C.	38,553	VAN ES, J. Pieter	37,746
FISHER, William J.	32,133	MEEKER, Frederic M.	35,282	WILLIAMS, Kathleen M.	34,380
GLEMBOCKI, Christopher R.	38,800	MILLER, Charles L.	43,805	WITCOFF, Sheldon W.	17,399
HANLON, Brian E.	40,449	MITRIUS, Janice V.	43,808	WOLFF, Kevin A.	42,233
HART, Robert P.	35,184	MORENO, Christopher P.	38,566	WOLFFE, Franklin D.	19,724
HEMMENDINGER, Lisa M.	42,653	NELSON, Jon O.	24,566	WOLFFE, Susan A.	33,568
HILLMAN, Lisa	43,673	NEGOWSKI, James A.	28,331	WRIGHT, Bradley C.	38,061

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001-4597

Customer Number: 22907
Tel: (202) 508-9100
Fax: (202) 508-9299

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Full Name of Sole Inventor

WILLIAMS

Jonnie

Date

12/15/99

Residence 1 Starwood Lane, Manakin-Sabot, VA 23103

Family Name

First Given Name

Second Given Name

Citizenship U.S.A.

Post Office Address 1 Starwood Lane, Manakin-Sabot, VA 23103

M X B / Vernon



Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20230

010

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/397,018	09/15/99	WILLIAMS	J A-7264

0242/1006
SUGHRUE MIDN ZINN MACPEAK & SEAS, P.C.
2100 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20037-3213
DOCKETED
OCT 08 1999

NOT ASSIGNED

1731

DATE MAILED:

10/06/99

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 216.

- ☒ 1. The statutory basic filing fee is:

☐ missing.
☐ insufficient.

Applicant must submit \$ 760

claiming such status (37 CFR 1.27).

The following additional claims fees are due:

\$ 576 for 32 total claims over 20.\$ 390 for 5 independent claims over 3.\$ 260 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☐ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202